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### REMARKS

This response is intended as a full and complete response to the Office Action dated December 15, 2003. In view of the following discussion, the Applicant believes that all claims are in allowable form.

### CLAIM REJECTIONS

#### I. 35 U.S.C. §102 Claims 1-4 and 56-57

##### A. Claims 1-4

Claims 1-4 stand rejected as being anticipated by United States Patent No. 5,934,984 issued August 10, 1999 to Togawa, (hereinafter *Togawa*). In response, the Applicant has amended claim 1 to more clearly recite aspects of the invention.

Claim 1, as amended, recites limitations not disclosed by *Togawa*. *Togawa* teaches polishing apparatus having a pusher 10 (load cup) mounted on a frame having a sliding mechanism 61 comprising upper and lower sliding assemblies (a first motion device and a second motion device) in perpendicular arrangement. The motion devices are provided to align the pusher 10 (load cup), and hence the workpiece, during transfer of the workpiece to the top ring 75 of the polishing unit 77. (*Togawa*, col. 5, l. 23 to col. 6, l. 55.) However, *Togawa* does not disclose a polisher having one or more polishing heads and at least a first platen and a second platen, a load cup adapted to transfer the substrate to at least one of the polishing heads, a first motion device disposed proximate a first side of the polisher movable along the first side between at least a first position adjacent the first platen and a second position adjacent the second platen, and a second motion device coupled to the first motion device and the load cup, the second motion device movable by the first motion device, the second motion device moving the load cup relative to the first motion device between at least a first position not accessible by the polishing head and adjacent the first side, and a second position accessible by the polishing head and inward of the first side, as recited by claim 1. Therefore, *Togawa* fails to disclose all of the limitations recited in claim 1.

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Thus, the Applicant submits that claim 1, and all claims depending therefrom, are patentable over *Togawa*. Accordingly, the Applicant respectfully requests the rejection be withdrawn.

B. Claim 56

Claim 56 stands rejected as being anticipated by *Togawa*. In response, the Applicant has amended claim 56 to more clearly recite aspects of the invention.

Claim 56, as amended, recites limitations not disclosed by *Togawa*. *Togawa*, as discussed above, discloses a load cup having only a limited range of lateral motion intended to accommodate alignment of the workpiece to a polishing head during workpiece transfers. *Togawa*, does not disclose a motion device adapted to move a load cup laterally along two independent axes between at least a first position that is not accessible by the polishing head and at least a second position that is accessible by the polishing head, as recited in claim 56. Therefore, *Togawa* fails to disclose all of the limitations recited in claim 56.

Thus, the Applicant submits that claim 56 is patentable over *Togawa*. Accordingly, the Applicant respectfully requests the rejection be withdrawn.

C. Claim 57

Claim 57 stands rejected as being anticipated by *Togawa*. In response, the Applicant has amended claim 57 to more clearly recite aspects of the invention.

Claim 57, as amended, recites limitations not disclosed by *Togawa*. *Togawa*, as discussed above, discloses a load cup having only a limited range of lateral motion intended to accommodate alignment of the workpiece to a polishing head during workpiece transfers. *Togawa* does not disclose a second motion device independently movable between at least a first position not accessible by the polishing heads and adjacent the first side, and a second position accessible by the polishing heads, as recited in claim 57. Therefore, *Togawa* fails to disclose all of the limitations recited in claim 57.

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Thus, the Applicant submits that claim 57 is patentable over *Togawa*. Accordingly, the Applicant respectfully requests the rejection be withdrawn.

#### ALLOWED CLAIMS

The Applicant thanks the Examiner for his comments regarding the allowability of claims 21-40. The Applicant further thanks the Examiner for his comments regarding the allowability of claims 5-20 and 58-65 if rewritten in independent form, including the limitations of any base claim and any intervening claims. However, as discussed above, the Applicant believes that independent claims 1, 56, and 57, and all claims dependent therefrom, are patentable over the prior art. As such, the Applicant submits that all the claims are in allowable form in their present condition.


#### CONCLUSION

Thus, the Applicant submits that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issuance are earnestly solicited.

If, however, the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone Mr. Keith Taboada at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Mar 12, 2004

  
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I hereby certify that this correspondence is being transmitted by facsimile under 37 C.F.R. §1.8 on March 12, 2004 and is addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Facsimile No. (703) 872-9306.

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3-12-04  
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